

| | | |
|--------------------|---|--|
| BAO 2004-0913-0029 | Date Issued: 11/08/2004 | View Request RQ 2004-0913-0029 |
| Summary: | Neither the Bingo Enabling Act (Texas Occupations Code Chapter 2001) nor the Charitable Bingo Administrative Rules (16 Tex. Admin. Code Chapter 402) prohibit a person designated by a license holder as an operator from being a bingo worker. | |

FIRST CLASS UNITED STATES MAIL
and
CERTIFIED MAIL NO. 7004 0750 0001 3237 5864
RETURN RECEIPT REQUESTED

BAO # 2004-0913-0029

November 8, 2004

Owen Anderson
4165 Bluebonnet Hilltop Drive
Fort Worth, Texas 76126

Re: Bingo Workers

Dear Mr. Anderson:

On September 13, 2004, the Texas Lottery Commission (the "Commission") received your request for an advisory opinion related to bingo workers. Below is your question followed by the Commission's response.

Can a Primary Operator be paid while at the same time be a Primary Operator, when the payment of funds is from the Bingo Hall that the Primary Operator oversees bingo sessions for a Bingo License Holder?

ANSWER:

Neither the Bingo Enabling Act (Texas Occupations Code Chapter 2001) nor the Charitable Bingo Administrative Rules, 16 TAC 402, prohibit a person designated by a license holder as an operator from being a bingo worker.

SUMMARY

Neither the Bingo Enabling Act (Texas Occupations Code Chapter 2001) nor the Charitable Bingo Administrative Rules (16 Tex. Admin. Code Chapter 402) prohibit a person designated by a license holder as an operator from being a bingo worker.

This advisory opinion cannot be construed as a tax ruling or otherwise interpretive of the Internal Revenue Code. The information provided is completely limited to the context of the Bingo Enabling Act and the Charitable Bingo Administrative Rules.

This advisory opinion is based on the laws, rules and regulations in effect at the time of its issuance. All of the information provided herein is subject to change in law.

This opinion is purely advisory in nature and is limited to the particular questions at issue and to the facts presented in the request. Therefore, this opinion must not be relied upon as a previous determination regarding any conduct which is not substantially consistent with the opinions and facts stated in the request.

Yours truly,

William L. Atkins, Director
Charitable Bingo Operations Division

cc: C. Tom Clowe, Jr., Chairman
James A. Cox, Jr., Commissioner
Rolando Olvera, Commissioner
Kimberly L. Kiplin, General Counsel